

### **REMARKS**

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Claim 1 is amended without prejudice or disclaimer.

#### **Rejection of Claims 1-8 and 10-28 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 1-8 and 10-28 under 35 U.S.C. §103(a) as being unpatentable over Sezan et al. (U.S. Patent No. 6,236,395) (“Sezan et al.”) in view of Chen et al. (U.S. Patent No. 6,307,550) (“Chen et al.”), in view of Jain et al. (U.S. Patent No. 6,144,375) (“Jain et al.”), and further in view of Slezak (U.S. Patent No. 6,006,257) (“Slezak”). Assignee provides several claim amendments and addresses the outstanding rejection as well as the response to our arguments.

We first turn to claim 1. Claim 1 is amended to recite “deriving a virtual camera script and a coding hint from the image data to yield a derived virtual camera script,.... The coding hint is further refined in the “coding” step of claim 1 to recite “wherein the coding hint references a coding process and a temporal evolution for each still image of the plurality of still images.” Support for this limitation is found on page 5 lines 25-30 of the present specification. There are several reasons why Sezan et al. fail to disclose each limitation of claim 1. First, the Office Action on page 3 asserts that the step of “deriving virtual camera scripts and coding hints from the image data” disclosed in column 4 line 40-column 5 line 36. The analysis in the Office Action is that “information such as key frames, index information, title text, timestamp, individual shots, motion information, etc. derived from image data in the program description schemed [sic] is read on [sic] the feature ‘deriving virtual camera scripts and coding hints from the image data’.” The error in the analysis is that there is no suggestion or disclosure with respect to the “program description schemed” in Sezan et al. that has anything to do with a “virtual camera” script. Even a broad interpretation of this term does not encompass the program

description scheme of Sezan et al. The Figure 2 of Sezan et al., feature 44, is the “description scheme (DS) generation module.” A review of the discussion of the functions that occur within the description scheme generation module 44 is found for example in column 8, line 15-column 10, line 65. Column 8 line 56 explains that

“The generation module 44 receives the system information 46 for the system description scheme. The system information 46 preferably includes data for the system description scheme 22 generated by the generation module 44. The generation module 44 also receives user information 48 including data for the user description scheme. The user information 48 preferably includes data for the user description scheme generated within the generation module 44. The user input 48 may include, for example, meta information to be included in the program and system description scheme. The user description scheme (or corresponding information) is provided to the analysis module 42 for selective analysis of the program(s) 38.”

Column 14 line 52 begins a detailed presentation of the proposed description scheme in XML. This detail ends in column 26 line 21. Of the various functions described in the description scheme, none appear to encompass the concept of a virtual camera script. There is sufficient detail within these numerous columns with respect to the proposed description scheme, that if a “virtual camera script” is suggested from all of the disclosed functionality, it is respectfully requested that such disclosure be articulated in the next Office Action.

Indeed, column 1 line 56 explains that the issues in the prior art are addressed by providing “at least one description scheme. For audio and/or video programs a program description scheme provides information regarding the associated program.” The fact that the description scheme is disclosed in the summary of the invention as simply providing “information regarding the associated program” does not suggest a “virtual camera” script inasmuch as the program would simply be programmed using actual cameras and thus information regarding “the associated program” would not likely suggest anything with respect to a virtual camera script.

Therefore, even with the various pieces of information that is listed on page 3 of the Office Action, none of that information, in the context of the description scheme, as it is disclosed by Sezan et al., suggests the concept of deriving a virtual camera script from the image data.

Next, as has been noted above, the concept of using a coding hint is strengthened within the amendments to claim 1. The Office Action also asserts that coding deriving coding hints from the image data is disclosed in column 4, line 40 – column 5, line 36. This analysis is traversed inasmuch as there is no disclosure or suggestion of any coding hints that are derived. The Office Action on page 3 seeks to equate coding with “formatting to play” the video. Again, the index information, key frame, highlight information, timed information, etc. is listed. However, in none of the cited columns of Sezan et al. do they suggest anything with respect to “coding” hints. Specifically, column 9, line 34, provides an example of the use of their system. Referenced throughout this cited portion is the fact that the system records programs such as events including basketball and soccer. VCRs are mentioned and VHS tapes. It appears that the only reference to a “code” is column 10, line 7, in which Sezan et al. explain that “the stored information might also include an index code so that it can be located at a later time.” This clearly does not refer to the video being coded but rather a “index code” that is used for locating the data at a later time.

With respect to processing video images and information, “coding” is a well understood concept of converting a piece of information from one form of representation to another. Thus, when transmitting data over a bandwidth limited medium, the information can be coded to reduce the amount of bandwidth needed and then decoded at a receiving device. No such concept appears to be contemplated within the disclosure of Sezan et al. inasmuch as they continue to focus on VCR type storage devices.

The citation to column 7, lines 16-48, also fails to provide any suggestion of coding. Furthermore, the final citation to column 8, line 30 – column 9, line 26, also fails to suggest any coding operation and would appear to actually function after any decoding would occur. For example, cited column 8, line 34, begins a discussion of the analysis module 42. Figure 2 shows this analysis module as receiving the audio, video, still images, web contents, etc. from block 38. Therefore, the most reasonable interpretation of the interaction between block 38 and block 16 is that block 38 provides the basic audio visual program in an uncoded form such that the audio visual program analysis module 42 can even operate. This analysis is confirmed in column 8, line 18, which explains that “the program related information preferably includes data defining both the program views and the program profiles available for the particular program 38. The analysis module 42 performs an analysis of the programs 38 using information obtained from (i) automatic audio-video analysis methods on the basis of low-level features that are extracted from the program(s), (ii) event detection techniques, (iii) data that is available (or extractable) from data sources or electronic program guides (EPGs, DVB-SI, and PSIP), and (iv) user information obtained from the user description scheme 20 to provide data defining the program description scheme.” The analysis that would be “low level” extracted from the programs must be based on an uncoded version of the program otherwise no such analysis could take place. Accordingly, if the program analysis module 42 is understood to receive the basic audio video program, then the basic point is that after storage and further processing in block 16 displaying the audio visual program on display 80 would not involve any “coding” as that term is well understood in the art.

The comment on page 3 of the Office Action reveals the error of the analysis. Here, the Office Action states “if there is ‘no coding of any generated video sequence is described by Sezan’ as alleged by applicant, how can the video content be is process, generated, formatted, or transmitted for displaying by a computer based system?” This question is easy to answer. For

example, video content that is stored on a VHS tape is not “coded”. It is stored in a particular format but is not “coded” for transmission. Data that may be on a computer system that may be stored in a storage unit such as data storage unit 50 of Figure 2, does not have to be “coded” for it to be processed and displayed on display 80. If there is no low bandwidth transmission that is required, then coding of such a video is completely unnecessary. Therefore, the answer to the question on page 3 is quite simple, it is well known in the art that video content can be formatted and displayed on a computer-base system without any coding operation. Therefore, the best interpretation of disclosure of Sezan et al. is that it does not reveal coding the generated video sequence based on the coding hint. This provides another limitation in claim 1 that is not disclosed or suggested by Sezan et al. With the addition of the limitation wherein the coding hint references a coding process and a temporal evolution for each still image of the plurality of still images, this provides yet an additional feature which is not disclosed or suggested in Sezan et al.

Therefore, claim 1 is patentable and in condition for allowance.

Assignee also traverses the combination of cited art and reserves the right to argue against any such combination.

Indeed, the analysis is not persuasive with respect to each limitation of the claims. For example, page 7 of the Office Action states that “neither Sezan nor Chen explicitly discloses derived virtual camera script comprises a set of image processing instructions that simulate selected camera movement over portions of the still image....” The concept of instructions that “simulate selected camera movement” is essentially the equivalent of a “virtual camera script.” However, the Office Action had earlier asserted that the program description scheme of Sezan et al. disclosed deriving “virtual camera scripts”. It is simply noted that page 7 of the Office Action appears to succeed that Sezan et al. does not actually disclose deriving virtual camera scripts.

Therefore, as has been set forth above, there are several limitations of claim 1 which are not disclosed or suggested by at least Sezan et al. Accordingly, claim 1 is patentable and in condition for allowance as well as its dependent claims 2-8 and 10-28.

**Rejection of Claims 1-8 and 10-28 Under 35 U.S.C. §103(a)**

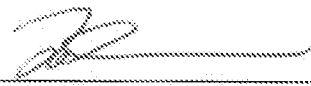
The Office Action rejects claims 1-8 and 10-28 under 35 U.S.C. §103(a) as being unpatentable over Sezan et al. in view of Chen et al., in view of Goldberg et al. (U.S. Patent No. 5,963,203) (“Goldberg et al.”), and further in view of Slezak. Assignee traverses this analysis and notes that based on the discussion set forth above, independent claim 1 is not disclosed by the primary reference of Sezan et al. Therefore, the analysis above clearly demonstrates that claim 1 is patentable as well as its dependent claims. Assignee also reserves the right to argue against the combination of art cited in this rejection in further prosecution.

### CONCLUSION

Having addressed all rejections and objections, the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

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